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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,740	10/11/2001	Chia-Li Chen	LIUW3003/EM/7298	7159

23364 7590 10/18/2004
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EXAMINER

KNAPP, JUSTIN R

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 10/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/973,740

Applicant(s)

CHEN ET AL.

Examiner

Justin Knapp

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


FRITZ FLEMING
PRIMARY EXAMINER
GROUP 2100

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 is rejected under 35 USC 112 2nd paragraph. Claim 1 recites the limitation "said reading disk" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Battaglia, et al (herein referred to as Battaglia), USPN 6,658,202 in view of Wakeley, et al (herein referred to as Wakeley), USPN 6,654,843.

5. Referring to claim 1, Battaglia teaches wherein:

said main body has a receiving chamber to receive said disk tray, silicon disk insertion cassette,

~~circuit board, applied chip sets, and microprocessing unit, and is provided on the surface thereof~~

with an insertion slot for a compact disk and a silicon disk insertion slot, so that said disk tray for

reading compact disks and said silicon disk insertion cassette are placed into corresponding

positions in said main body; and said compact disk as well as said silicon disk are placed

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respectively into said reading disk for compact disks and said silicon disk insertion cassette (see figure 1, elements 24, 27 and mass storage device, 20);

said circuit board (figure 1, element 28) is provided in the receiving space of said main body, said applied chip sets and said microprocessing unit are provided thereon; and said transmission interface is connected at the rear of said main body, and wherein said transmission-exchange device has two modes of operation:

- i) an independent mode, in which by operation of said circuit plate, said chip sets and said microprocessing unit, direct data exchange between said compact disk and said silicon disk is executed; and
- ii) a host computer connection mode in which, when said transmission interface is connected with a host computer, data exchange and reading/writing among a hard disk of said host computer, said compact disk and said silicon disk is performed (see column 7, lines 50-60).

In his exemplary embodiment, Battaglia teaches a hard drive as the mass storage device that is capable of performing data exchange with a variety of supported silicon disks. Battaglia does not explicitly teach the use of a compact disk drive. However, Battaglia indicates that mass storage may also be a removable hard drive or other mass memory media which is commercially available. Battaglia also mentions the mass storage device is coupled to control logic via an ATA/IDE bus or a PCMCIA (column 5, lines 52-60). Wakeley teaches that compact disk drives such as CD-RWs are compliant with the ATA/IDE standard as well as teaching control logic to recognize and communicate with whatever type of device is connected to a ATA/IDE bus (column 3, lines 1-21). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a compact disk drive as taught by Wakeley as the mass storage

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device in Battaglia's system. One would have been motivated to do this as one would recognize that a compact disk is another form of mass memory storage that is easily transportable and using the teachings of Wakeley, a compact disk drive would easily be implemented using the ATA/IDE bus and control logic in the system of Battaglia.

6. Referring to claim 2, Battaglia teaches wherein said silicon disk insertion cassette meets several sizes of specifications for memory cards selected from the group consisting of CF, PCMCIA (PC card), SMC, MMC, MS, or SD memory cards (see column 4, lines 1-10).

7. Referring to claim 3, Battaglia does not explicitly teach wherein said reading disk for reading compact disks functions as a read only CD-ROM player, a read and write CD-ROM player and a Combo player but would be obvious to implement as taught supra.

8. Referring to claim 4, Battaglia teaches wherein said transmission interface is a USB interface, a 1394 interface or an IDE/ATAPI interface (see column 5, line 52 through column 6, line 15).

9. Referring to claim 5, Battaglia teaches wherein said main body is provided with a power supplying unit to supply power for operation, said main body also being provided on external surfaces thereof with operating units to enable a user to control the device for independent operation (see figure 1, element 26).

10. Referring to claim 6, Battaglia teaches wherein said power supplying unit is a power line or a storage battery (see figure 1, element 26).

Response to Arguments

11. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objections made. Applicant must also show how the amendments avoid such references and objections.

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, ~~however, will the statutory period for reply expire later than SIX MONTHS from the mailing~~ date of this final action.

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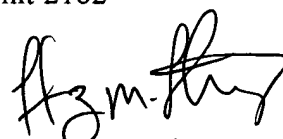
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin Knapp whose telephone number is (571) 272-4149. The examiner can normally be reached on Mon - Fri 9 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Justin Knapp
Examiner
Art Unit 2182

October 15, 2004


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